

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 7, 10, 12 and 20 have been amended. Claim 3-6, 8-9, 11, 13-19 and 21-28 have been cancelled without prejudice. New claims 29-32 have been added. Therefore, claims 1-2, 7, 10, 12, 20 and 29-32 are presented for examination. The following remarks are in response to the final Office Action, mailed March 26, 2007.

35 U.S.C. § 112 Rejection

Claim 3 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claim 3 has been cancelled without prejudice.

35 U.S.C. § 103 Rejection

Claims 1-2, 4, 6, 10-12 and 20 stand rejected under 35 U.S.C. §103(a) as being obvious over Huang, et al., U.S. Patent No. 6,571,245 ("Huang") in view of Margolus, et al., U.S. Patent Publication No. 2004/0143743 ("Margolus").

Claim 1, as amended, recites:

A method comprising:

generating client message digests corresponding to client files stored on a client, each client message digest corresponding to each client file on the client, the client message digest uniquely identifying contents of the client files by performing a cryptographic hash of the contents of the client files, and cataloging the client files, the performing of the cryptographic hash of the contents including generating a unique fingerprint identifying the contents of each client file;
generating server message digests corresponding to server files, each server message digest corresponding to a server file on a server, wherein the server is coupled to the client over a network;
prior to synchronizing the client files with the server files, matching client file contents from the client message digests with server file

contents from the server message digests to determine whether the client files and the server files are to be synchronized; and synchronizing the client files and the server files, if the client file contents and the server file contents do not match.
(emphasis added)

As an initial matter, Applicants maintain their previous arguments and respectfully disagree with the Examiner's characterization of the references and the pending claims. However, for the sake of expediting issuance of this case, Applicant submits additional amendments to claim 1 that are allowable over the cited references.

Neither Huang nor Margolus teach or reasonably suggest at least these features of claim 1. For example, Huang and Margolus, neither individually nor when combined, teach or reasonably suggest “generating client message digests corresponding to client files stored on a client, each client message digest corresponding to each client file on the client, the client message digest uniquely identifying contents of the client files by performing a cryptographic hash of the contents of the client files, and cataloging the client files, the performing of the cryptographic hash of the contents including generating a unique fingerprint identifying the contents of each client file” as recited by claim 1 (emphasis added). Further, Huang and Margolus, neither individually nor when combined, teach or reasonably suggest “prior to synchronizing the client files with the server files, matching client file contents . . . with server file contents . . . to determine whether the client files and the server files are to be synchronized; and synchronizing the client files and the server files, if the client file contents and the server file contents do not match” as recited by claim 1 (emphasis added).

Claims 10 and 20 include limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 10 and 20 and their dependent claims

Claim 7 stands rejected under 35 U.S.C. §103(a) as being obvious over Huang in view of Margolus and further in view of Chan, et al., U.S. Patent No. 6,748,538 (“Chan”) or alternatively in further view of Bolosky, U.S. Patent Publication 2002/0194484 (“Bolosky”).

Claim 7 depends from claim 1 and thus includes all the limitations of the base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 7.

New Claims

New claims 29-32 depend from claims 10 and 20 and thus include all the limitations of their corresponding base claim. Accordingly, Applicants respectfully submit that claims 29-32 are allowable of the cited references.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: May 31, 2007



Aslam A. Jaffery
Reg. No. 51,841

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1030
(303) 740-1980